

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2005-0713, In the Matter of Pamela Domigan and John Wall, the court on October 16, 2006, issued the following order:

The respondent, John Wall, appeals an order of the trial court requiring that he reimburse the petitioner, Pamela Domigan, for one half of the legal fees incurred by the parties' minor son. We affirm.

It is the burden of the appealing party to provide this court with a record sufficient to decide his issues. See Bean v. Red Oak Prop. Mgmt., 151 N.H. 248, 250 (2004); see also Sup. Ct. R. 13. In this case, the respondent has not provided a transcript. The sole issue before us is whether the trial court's exercise of discretion was sustainable. See In the Matter of Feddersen & Cannon, 149 N.H. 194, 196 (2003). The respondent cites several facts in his statement of the issue before us and in his summary of the argument. See Sup. Ct. R. 15(3) ("If the moving party intends to argue in the supreme court that a finding or conclusion is unsupported by the evidence or is contrary to the evidence, he shall include in the record a transcript of all evidence relevant to such finding or conclusion."). Absent a transcript of the trial court proceedings, we must assume that the evidence was sufficient to support the decision reached. See Atwood v. Owens, 142 N.H. 396, 396 (1997). Accordingly, we review the trial court's decision for errors of law only, see Atwood, 142 N.H. at 397, and find none.

Affirmed.

BRODERICK, C.J., and DUGGAN and GALWAY, JJ., concurred.

**Eileen Fox,
Clerk**